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New book for unionists.

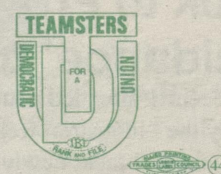
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CONVOY DISPATCH



VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975

April/May 1999 # 176

Attention Southern Teamsters

Know Who You're Voting For!

When the ballots for the rerun election for Southern International Vice President are mailed to Teamster members in the South on May 7, Charlie Gardner will be listed as a candidate. But if Gardner is elected, will he serve his term?

Doug Mims - a long time Teamster reformer and leader who has served as a steward, local officer and International Vice President - has pledged to work full time as a watchdog for the rank and file if the

members elect him.

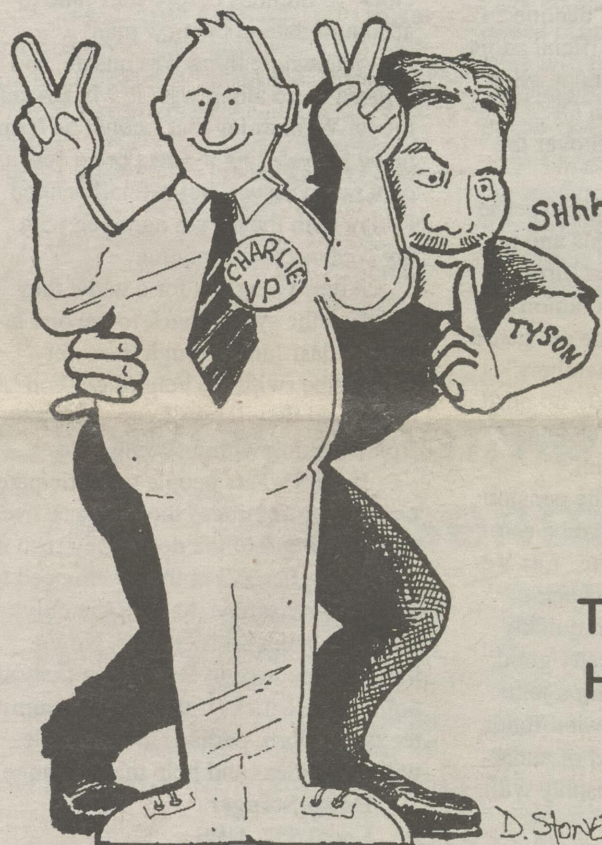
But you won't hear the same pledge from Gardner, because he is actually a front man for Hoffa's real choice for Southern V.P., Tyson Johnson.

Johnson, a \$100,000 a year BA in Dallas Local 745, was suspended from Teamster membership in 1997 for converting union members' funds for his own use. He's not eligible to run for any union office for two years, so

Gardner is running as a stand in. If elected, Gardner will step aside in October and Johnson will be appointed.

Southern Teamsters need a

leader who will stand up for the rank and file, not a hand-picked rubber stamp or someone with a record of illegally taking union funds for personal gain.



Who Is
Tyson Johnson
Hiding Behind,
and Why?

See article above.

Is your contract about to expire?

Are your local officials asleep at the wheel?

Want to know how to keep your boss in line?

JOIN TDU

- ◆ Get training on how to build unity and involve members to win a good contract.
- ◆ Get help to develop strategies for increasing your clout.
- ◆ Get assistance with contract surveys, bulletins, and other materials.

TDU MEMBERSHIP APPLICATION

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Phone (_____) _____ Company _____

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production
other _____

___ \$35 one-year membership & subscription to *Convoy Dispatch*.

___ \$85 three-year membership fee. (\$10 shall be rebated to the local chapter)

___ \$20 for spouses, and Teamsters who gross less than \$17,000 a year.

___ \$20 for retirees. Retired from Local _____

Check or money order

Mastercard/Visa # _____ Exp. date ____/____/____

Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

TDU membership is kept confidential from employers. TDU solicits and accepts membership applications and donations only from Teamsters, retired Teamsters and spouses who are not employers.

Hoffa Scales Back EPC

One of the first moves of James P. Hoffa and his new General Executive Board (GEB) after they were sworn in on March 22 was to pass a resolution scaling back the union's Ethical Practices Committee (EPC).

Complaining that the EPC, created by former Teamsters President Ron Carey in 1992, was *too aggressive* in taking on corruption in the union, the GEB resolution states that the committee will now only investigate "serious allegations of impropriety which are *imminently dangerous* to the members, subordinate bodies, or the International Union."

Hoffa is limiting the EPC's power to investigate corruption. Now, most corruption cases will be left in the hands of local union and joint council officers, many of whom are the same officials accused of the wrongdoing.

"The current Ethical Practices Committee was a good start, but didn't go far enough," said TDU national organizer Ken Paff. "But instead of doing more to fight problems like nepotism, blacklisting, favoritism, and other corruption, Hoffa's EPC resolution gives a green light to local union and joint council officials to ignore members' rights."

Letters From Our Members

Mack to Provide 'Guidance' to Hoffa

I recently attended a luncheon sponsored by the "Industrial Relations Association." Chuck Mack, newly elected VP, addressed about 40 Teamsters, Central Labor Council types, attorneys and the usual assortment of "suits." His topic was to be "The Impact of the Recent Election" and what it means to Teamsters.

Rather than talking about the new administration's plans for the future, Mack reverted back to campaign mode. He recited the same tired campaign charges that Ron Carey misspent the union's money, negotiated a substandard freight contract and used "smoke and mirrors" when it came to the UPS contract.

Mack commented that the UPS full-time jobs were never created because the strike caused the company to "decline." I was shocked to hear a union official adopt and spread the company argument while the union is in the middle of an all-important arbitration with UPS over the creation of these jobs.

Mack referred to the terrible expense of rank and file general elections and repeated the mantra that members already had the right to elect their local union officials. It was reminiscent of the old guard argument that as long as the members elect local officers there is really no need to have them elect convention delegates and International officers as well.

Finally, when discussing the pension funds, Mack said that we have to be careful with the funds because of the "Las Vegas thing," evoking a muffled chuckle from the audience. He followed quickly with, "And Las Vegas looks pretty good, by the way!" The idea of making a joke about the theft of Teamster pension funds by Hoffa Sr. smacks of the kind of audacity that the old guard used to display with regularity.

Not to worry about the future of our union, though. While admitting that prior

to the last election Hoffa Jr. hadn't ever been elected to anything and had no actual experience as a union administrator, Mack assured the audience that he and other experienced members of his slate would provide Hoffa with "guidance."

I feel much better. Don't you?
Kim Shanahan
Local 856, National Car Rental
San Francisco

UPS Puts Speed Over Safety

UPS management recently changed our preload procedure for over-70s at start time, trying to squeeze some minutes out of it. I rushed and tried it "their way" for just one day. The next day I saw some co-workers working off the clock 10 minutes before start time to accommodate to the new plan.

The whole thing was unsafe, so I refused to go along with it. My BA told me on Wednesday that I could be terminated for refusing a direct order (even on a safety issue), but it finally ended Friday with the bosses agreeing with my contract interpretation.

After wrangling for a while they changed the system back to the one instituted last June through the safety committee (with the help of our contract), and they'll now keep workers from working without being paid.

If UPS wants people to participate on safety committees they have to live up to their end of the deal. They rush us something fierce, but there's no need to compromise safety. At UPS the only thing we count on is change. Now there's hope here in Burlington that safe policies will stick. If the safety committee is stubborn, perhaps more people will share ideas and help make change.

Dawn Stanger
Local 597, UPS
Burlington, Vt.

TDU Position on Labor Party

What is TDU's position on the Labor Party? I think this would be of interest to many members.

Patrick Finelli
Local 773, Ashland Chemical
Allentown, Pa.

Convoy Dispatch Response: The Labor Party, supported by a few major national unions and many locals, has a number of Teamster supporters, including some TDU members and leaders. Of course many TDU members have differing views. TDU, as an organization, is prohibited by our constitution from aligning with any political party or candidate. Our mission is to revitalize and democratize our Teamsters Union. This does not mean that TDU members or leaders don't think political action is vital for the labor movement, only that TDU is not the vehicle for support of political candidates or parties.

TDU Meets

Buffalo/Western New York TDU
Saturday, May 1, noon
T.J.'s

3587 Walden Ave., Lancaster, N.Y.
For information call 716-684-1909

Chicagoland TDU Fundraiser

Performance of "Aurora"
a play by Tom Geoghegan
Admission & Reception:
\$17.50 advance, \$20 at door
Saturday, May 8, 7 p.m.
UNITE Hall
333 S. Ashland, Chicago

Chicagoland TDU Picnic

Sunday, June 27, noon
Castaldo Park
Hwy. 53 and 71st St., Woodridge, Ill.
For information call 773-589-2033

Evergreen State TDU

Sunday, May 16, 10:30 a.m.
Poodle Dog Restaurant
1522 54th Ave. E., Fife, Wash.
(Exit 137 off I-5)
For information call 253-847-8646

Fresno TDU

Sunday, May 16, 2 p.m.
Brooks Ranch
4131 South Chestnut Ave.
For information call 209-485-9089

Las Vegas TDU

Legal Rights Workshop
Sunday, June 6, 4-6 p.m.
St. Viator Community Center
4320 South Channel 10 Drive
For information call 313-842-2600

Northern California TDU

Saturday, May 15, 10 a.m.
Recreation Room
22012 Sevilla Rd., Hayward, Calif.
For information call 707-426-5310

Southern California TDU

Sunday, June 13, 10 a.m.
VFW Hall
101 S. Main St., Pomona, Calif.
For information call (562) 694-5831 or (760) 951-4949

Wisconsin Badger State TDU

Sunday, May 2, 12:30 p.m.
Sue's Bayview Bandwagon
2463 South St. Clair, Milwaukee
For information call (414) 327-1489

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in November 1998 for one year. Our Rank & File Convention had over 500 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

TDU International Steering Committee

Co-Chairs:

Dan Campbell, Chicago, Local 705
Joe Fahey, Watsonville, Calif., Local 912
Diana Kilmury, Vancouver, B.C., Local 155
Michael Savoir, Kansas City, Mo., Local 41

Organizer:

Ken Paff, Detroit

Trustees:

Steve Baudo, Milwaukee Local 344
Erik Jensen, Minneapolis Local 320
Joyce Mims, Atlanta Local 728 spouse

Members:

Homer Lambert, Chicago Local 743
Matt Latzo, Baltimore Local 355
Maria Martinez, Pasco, Wash., Local 556
Ashley McNeely, Minneapolis Local 2000
Raul Rodriguez, Jr., Los Angeles Local 630
Michael Ruscigno, New York Local 802
Willie Smith, Columbus, Ohio Local 413

Alternates:

Robert Lloyd, Little Rock, Ark., Local 878
Alex Adams, Cleveland Local 407
Tom Sheibley, Brockton, Mass., Local 653

How to Contact TDU

We want to hear from you. Contact us at the address below for more information about TDU, or to send us articles or letters.

National Office: P.O. Box 10128,
Detroit, Mich., 48210. Phone: (313) 842-2600. Fax: (313) 842-0227.
TDU can be contacted by e-mail at: tdudetroit@igc.org
or on the World Wide Web at: <http://www.igc.org/tdu/>

NY Office: P.O. Box 170131,
Brooklyn, N.Y. 11217 Phone: (718) 624-7746. Fax: (718) 875-9336

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Member-to-Member Can Organize Overnite

The Overnite organizing drive, built step by step by Overnite and freight Teamsters over the past five years, is in jeopardy. At the end of March the new Hoffa

administration fired almost all the Overnite organizing staff, including those who were formerly Overnite employees.

There may be a new strategy, where

the emphasis is less on organizing and more on negotiating. Hoffa appointed a five-person committee to negotiate with Overnite, including International Vice Presidents Phil Young, Walt Lytle and Pat Flynn. He stated that having three International Vice Presidents on the committee would give it special clout. Organizing itself will be largely turned over to local unions.

Hoffa has called a meeting of freight Teamster officials for early May to push the Overnite campaign and explain his strategy.

Despite major obstacles, the Overnite drive has been a remarkable success and a testament to creative organizing tactics.

A member-to-member movement sparked organizing at terminal after terminal. Thousands joined the Teamsters. Freight Teamsters pitched in, as did local unions. Our clout even moved the NLRB, where we've won numerous victories against union busting tactics.

From the outset, Teamster strategy was to win a majority of key terminals, with involved members, so that the po-

tential of strike action would force Overnite to bargain toward the NMFA. It was the same strategy used effectively by our union in the 1930s and 1940s to organize freight.

New Emphasis on Contract

The new IBT leadership announced in a bulletin that the new slogan is "Now's the time — Contract in 99". But putting multiple-salary officials at the bargaining table cannot replace building rank and file power at Overnite.

Fired Miami Overnite driver Pedro Perez is worried. "We've given them the benefit of the doubt, but these past few months are proof this is not working. Overnite is moving now against good fighters."

A weak campaign coupled with high-priced officials (and no rank and file) at the table will not do it. At best that will lead to a second-rate contract that will not bolster the NMFA, but could even undercut it.

We urge the Teamster leadership to use the member-to-member strategy that built the Overnite campaign. And we urge all Teamsters to join in the effort to win a resounding organizing victory at Overnite.

Key Leaders Discharged

Miami Overnite Under Attack

Two veterans of the battle to organize Overnite, Pedro Perez and Carlos Ramirez, were fired in February and have yet to be returned to work. Ramirez was a founder of the organizing campaign in Miami.

The Miami terminal has a long history of the kind of aggressive rank and file action that came to symbolize the power of the Overnite strategy. Without the benefit of a contract, the rank and file at Miami Overnite stopped subcontracting, solved grievances on the spot, and were able to win the reinstatement, with full back pay, of fired worker Hugo Hernandez in just three weeks.

The key to their success was a combination of direct action and member involvement. "We were very self sufficient and creative," former Overnite organizer Hugo Hernandez said. "We used group meetings with the boss to get problems solved, used Weingarten rights and caucusing to stall and took advantage of past practices that were to our advantage."

They also formed a Brothers United Fund, which raised money for rallies and picnics and organized job protests, such as a health and safety strike last June, that got Overnite's attention.

"Why is the company moving now?" Hernandez asked. "We are concerned that these firings signal a change, that they are a test of the new administration's attitude toward Overnite. Unless we keep the pressure on, management will see an opening, and use it to fire good fighters and cut a substandard contract for the terminals with bargaining orders."

"The problem here is, what Overnite has not been able to do, Local 390 has. They put zero resources into the Overnite battle and seem in fact to be grooming stewards who will go along to get along with the company."

Ramirez and Perez are fighting their discharge. They have filed charges with the NLRB, and are staying in contact with coworkers. But strong action is needed by the IBT to send Overnite a message that firing our key leaders won't be tolerated.

Freight Lines

Freight Shipment Diversion at Yellow.

Yellow Freight has crowed about the growth, and profits, it has gained from rush shipment freight. Is this work being handled by Teamster drivers? Should it be? Yellow city drivers report that rush shipments are being diverted to other nonunion carriers. This can be hard to track, since the freight generally goes directly from the shipper to the airport. Miami Yellow drivers report that they have traced some shipments. Buffalo members have a grievance filed over work that was diverted to Overland. Not all of this work is next day shipping. Some, also very profitable, is second day shipping — which could be picked up by regular Teamster peddle drivers and shipped on time. Know anything? Let us know.

Roadway Trains Industrial Athletes

Roadway Express has hired National Football League physicians as consultants to their daily aerobics program for dock workers. The aerobics program, called Challenge 2000, is now in place at the 30 largest of Roadway's 396 facilities nationwide.

Every day these dockworkers begin their on-the-clock workday with eight sets of exercises designed to prepare them to get through a day of bending, stretching and lifting without incurring an industrial injury. The program is voluntary, but heavily encouraged, and Roadway management wants to eventually expand it to most or all of its 25,000 employees.

Tom Lopienski, vice president of human resources, said, "We want to adopt a mindset that these are industrial athletes. We think this will turn workers' comp management on its head." No mention has been made of providing these "industrial athletes" with athletes' pay.

Local 390 Port Everglade Workers

Crowley Members Battle Poor Representation

"We've got no representation here. Management walks all over the contract, divides workers, and Local 390 sits back and watches it all happen." That, in the words of Crowley American Transport driver Harry Pearson, sums up what Miami port workers are organizing to overcome.

Both casual and permanent employees are getting hit. In the transportation department management has steadily increased the number of nonunion independents. Drivers lose jobs, work and overtime as a result. One yard is entirely nonunion.

Elsewhere it is not unusual for one or two regular employees to be working alongside 20 or more casuals. Casuals have no protection, no right to a permanent job or guaranteed hours. In fact, management purposefully works them fewer days to prevent them from getting on permanently. Some casuals have been strung along for seven or more years.

Thanks to an arrangement with a leasing outfit, units are regularly unavailable and yard horses have to be used for city work.

Contract language protects against the loss of good Teamster jobs, and members have filed hundreds of grievances. But Local 390 principal officer Geraldine Pate

appears unconcerned with the state of affairs. This is despite the fact that Local 390 vice president Andre Knolls works at Crowley and is chief steward. Members believe Knolls cut a deal with Crowley after getting caught stealing time. Deal or no deal, Knolls has refused to aggressively fight management's union busting.

Worse yet, Clarence Lark, former head of Local 390, has created more problems and further weakened the union at Crowley. After Lark was ousted for corruption he maneuvered to get Crowley members into a bogus maritime union. The move was nipped in the bud, but Lark's machinations still hang over Crowley members like a dark cloud. Pate is not a break from the Lark mold — she was a business agent under Lark.

Members Form TDU Chapter

Crowley Teamsters are not sitting back. They have joined with other Local 390 members to form a TDU chapter in their area to fight for better representation from their local. They are also meeting and setting plans to build unity and strength at Crowley. "Getting our union back is our goal," a member pointed out after a March planning meeting. "Local 390 can change, if we unite with other members and reform our local."

Still Time to Return Full-Time Jobs Petitions

Thousands of Teamster members across the U.S. have signed a petition circulated by TDU demanding that Teamster President James P. Hoffa and Dick Heck gear up a campaign to force UPS to deliver all 10,000 full-time jobs Teamster members won in our strike against the company in 1997.

Top UPS management has been stalling on providing the full-time jobs in hopes that Hoffa and Heck will agree to deal

away some of the full-time jobs we won. The company missed last year's July 1 deadline for creating our first 2,000 full-time jobs by combining part-time jobs. Our contract requires UPS to create 2,000 more by July 1 of this year.

Former Parcel Division Director Ken Hall presented a solid arbitration case against UPS for failing to honor the contract. Still, the company is urging Hoffa and Heck to settle for less jobs than

Teamster members deserve.

Members can send a message to management by signing our petition that urges Hoffa and Heck to tell UPS management "No deal!" There's still time for you to help with the campaign.

If you have not yet returned your petitions, please do so right away. If you need a new copy of the "Let's Make a Deal" leaflet or petition, contact TDU at (313) 842-2600.

No Action from Hoffa

Hoffa's first issue of the *Teamster* magazine acknowledges that 18 months after UPS signed an agreement to create 10,000 full-time jobs by combining existing part-time positions, UPS is \$1.2 billion richer but has yet to make the first installment of 2,000 full-time jobs.

Hoffa has geared up his rhetoric about taking on employers. But he has failed to take any action to make our union's largest employer deliver.

Wisconsin Local Circulates Petition

They say that imitation is the sincerest form of flattery, so TDU members in Milwaukee took it as a compliment —

and a boost to our full-time jobs campaign — when Local 344 Secretary-Treasurer Paul Lovinas, a Hoffa supporter, put out his own petition calling on UPS to deliver our 10,000 full-time jobs.

"I was glad we're united on the full-time jobs issue," said Claud Hedrington, a UPS part-timer who got his coworkers to sign TDU's petition. "Sometimes rank and file action can give officials a little push to do the right thing."

Hoffa Jr. & Dick Heck:

TELL UPS "NO DEALS"

UPS Teamsters Demand All 10,000 Full-Time Jobs We Won After Our Strike.

In 1997, Teamster members won 10,000 full-time jobs by walking the picket line, building community support, and standing strong against UPS greed. We can't allow management to push our union's new President, Jim Hoffa, Jr., and our new Parcel Division Director, Dick Heck, into dealing away any of our full-time jobs.

When Hoffa Jr. and Dick Heck meet with top UPS management, they should say, "no deal!" Instead, they should tell UPS to:

- Create last year's overdue 2,000 full-time jobs now.
- Deliver 2,000 more full-time jobs in 1999 — and in every year of our contract.

If UPS continues to refuse to create all 10,000 full-time jobs, Hoffa Jr. and Heck should launch a full-time jobs campaign to involve members, reach out to customers and the community, and put pressure on UPS to honor our agreement.

Name	Phone Number	Hub/Center	Local

Please return petitions by March 31, 1999 to: Teamsters for a Democratic Union, P.O. Box 10128, Detroit, MI 48210. For more information, call TDU at (313) 842-2600.

UPS & Downs

Chicago Local 705 Members Say No to Bonus Plan.

Local 705 leaders have launched an educational campaign against the UPS bonus plan. They are circulating a brochure that reveals the risks of the plan. This month Dobson Center voted 35-2 and Mid-South Center voted 40-6 in favor of eliminating the plan. Both centers are at the Jefferson Street hub.

Management Reveals Its Hand.

Notes from a speech given to a meeting of managers and supervisors by their new district manager and obtained by *Convoy* show UPS's true aim in not creating full-time jobs. The district manager said, "We know that creating jobs is the right thing to do ... not for our business, but for our people ... creating the jobs now will only strengthen the union ... we have to wait to create the jobs until we can take credit, so we don't strengthen the union."

New Health Plan Stirs Controversy.

Members in all locals in Iowa and Local 688 members at two buildings in St. Louis are soon to vote on a new health plan proposed by UPS. Local 710 members are scheduled to vote again on the plan after members objected that about 1,500 members did not receive ballots.

Some members are concerned that the new plan may restrict access to some care by forcing preapproval. Another criticism is that the \$33 million in savings UPS plans to achieve goes right into their pocket. Can't this money be spent to provide better benefits? Another concern is that if UPS can convince the union to let us vote on a health plan choice, what is to stop them from letting the company undermine our pensions in a similar way?

Safety Whistleblower Complaint Beats Back Retaliation in N.C.

Knowing and using your rights can make a difference. Just ask part-timers in Charlotte, N.C. After raising concerns about hazardous materials and other safety issues, two part-timers found themselves transferred out of the sort aisle to unload, with a cut in pay. Once in unload they faced a management campaign to further intimidate them, using work methods and discipline. Undeterred, they filed grievances and a safety whistleblower complaint with the state department of labor. All of a sudden (and before the grievance hearing), management wiped their record clean, put them back to work in the sort aisle, and made good on their back pay.

North Carolina has its own safety anti-retaliation law. Members in other states can use OSHA Section 11(c), which has to be filed within 30 days of an incident, or Section 405 of the Surface Transportation Act (filed with the OSHA regional office within 180 days of an incident). Contact TDU for more information on your safety rights.

Fight for Full-Time Jobs Goes Prime Time.

UPS's failure to make good on its obligation to create new full-time jobs will be exposed on prime-time television in an upcoming episode of Michael Moore's new cable show "The Awful Truth."

The show will feature Moore's own debt collector, a dock worker named Sal, who visits UPS headquarters in Atlanta and puts the company's PR men on the spot about why UPS hasn't yet delivered the first installment of 2,000 full-time jobs we won in our strike.

"The Awful Truth" will air on the Bravo cable network on Sunday, May 2 at 9 p.m. Eastern Time and 10 p.m. Pacific Time, and on Friday, May 7, at 10 p.m. Eastern Time.

Michael Moore is the writer and director of the award-winning documentary film "Roger & Me," about General Motor's plant closings in Flint, Mich., and the television series "TV Nation."

Tips To Beating Production Harassment

UPS management in many centers routinely uses harassment to try to get more production out of package car drivers. Here are some tried and true guidelines that we can use to protect our own well being and our union rights.

1. Use the methods. Methods are the surest way to give yourself more time to get the job done. The shortcuts you use to get the job done more smoothly while saving time are yours. Become an expert on all the methods so that on the day management rides with you you can use methods effectively. Try each day to practice one method to keep your skills sharp.

2. A fair day's pay for a fair day's work protects you only if you show that you have provided a consistent performance. If you are at a consistent rate each day you will be protected. Be careful of extremes either way. Too good a performance can be as dangerous as falling behind.

3. Keep good records of what you do each day. Using the TDU UPS logbook is the best way. Keep track of important data like stop count, number of irregular packages, over 70s, COD, not-ready situ-

ations, traffic delays, breakdowns, or anything else that would explain why your production would be down. Accounting for all time is the best way to protect yourself.

4. Follow all instructions no matter how ridiculous they are. If management tells you to do something wrong, grieve it after the fact. If you refuse the order they may fire you, and it could stick.

5. Talk to your coworkers. A collective solution is the best way to combat production harassment. If all the drivers under the same supervisor use the same approach to deal with harassment, eventually UPS will give it up. If harassment does not work to improve performance why use it? Where Teamsters make it clear that harassment will not lead to more production, management usually changes its tactics for the better.

6. File grievances under Article 37 to document excessive rides, oversupervision, intimidation and other forms of harassment.

If you need help dealing with production harassment contact TDU for assistance.

Canadian Carhaul Bargaining to Open

Bargaining for the regional carhaul contract covering over 2,000 Teamsters in Ontario and Quebec begins soon. The contract expires Oct. 31.

Major issues include job security, health insurance improvements (a rank and file

bulletin pointed out that many health insurance benefits have been stagnant for some 15 years), protection of the border agreement, as well as wages. The dominant carrier is Allied and — just as in the U.S. — their greed is showing.

National Bargaining

Will Employers Get Serious?

Carhaul Contract Bulletin

TEAMSTERS FOR A DEMOCRATIC UNION, P.O. Box 10128, Detroit, Mich. 48210
PHONE 313-842-2600 * FAX: 313-842-0227

#1, APRIL 21, 1999

Right to Strike Key to Winning Respect for Carhaulers

On April 19, bargaining for our national master contract resumed at a resort in Scottsdale, Arizona. In the weeks that follow, we will see if the employers are serious about reaching a fair agreement that protects our job security, raises our wages, and increases our pensions.

Whatever agreement we win, Teamster members must be able to hold management's feet to the fire so we can enforce it. That's why we need to win the Right to Strike over deadlocked grievances and local conditions in this contract.

In the past, management has violated our contract before the ink is dry. Members get frustrated because we have to file grievances on the same issues over and over again. We don't get the respect we deserve. Management compromises our safety and our quality

of life. We can't plan for our family's future because our jobs aren't secure.

If our new General President, James P. Hoffa, wants to keep his campaign pledge to restore Teamster power, there's no better way to start than by helping carhaul members win the Right to Strike over deadlocked grievances.

"No matter what we get on paper the employers will do whatever they want unless we have the right to strike over deadlocked issues. At Allied it's gotten to the point where things are run like a giant plantation, and we are getting the shaft every time we turn around. We need to be ready to strike to win the right to strike over local issues."

—Frank Stoppa, Local 512, Jacksonville, Fla.

Contract Proposals Aimed At Improving Working Conditions and the Grievance Procedure

Following are selected proposals submitted by the union committee. Members have made it clear that employer abuse of the contract and disregard for the grievance procedure are important issues. The right to strike over deadlocked grievances would do the most to nip carhaul employer arrogance in the bud. But other proposals would also go far toward protecting carhaul members. Contact

Master Agreement

Article 2, Sec. 5.

Local matters over which the parties shall bargain at the request of one party include, but are not limited to, zone rates, flat rates, shuttle rates, incentive or piece work rates and other loading or unloading rates. Added to subpart (a).

Article 7, Section 1.

Any party may engage in economic recourse in the event a case to which it is a party is deadlocked by the National Joint Arbitration Committee of the National Joint

As bargaining resumes in Scottsdale Ariz., on April 19, we will soon find out if employers are serious about negotiating a contract without a strike. So far they have a long list of concessions on the table, including demands for a two-tier deal that would destroy our contract and our jobs.

Union demands include increased job security, better pension benefits, new

working condition and safety protections, and changes in competitiveness in the Central-Southern. Perhaps most important is the union demand for the right to strike to enforce the agreement.

TDU issued a Carhaul Bulletin on April 21 which details that along with other union demands that would make our contract enforceable. For copies, contact TDU.

Local 710 Carhaulers Face Uphill Battle

Chicago Local 710 members who move cars from the Ford Chicago Assembly Plant to the holding yards and onto railroad cars are in a tough spot. This operation had been operated under the national contract for over 20 years. When a new company took over the operation Local 710 negotiated a white paper agreement that let the new employer escape the national contract.

This contract features a weak grievance procedure, three-tier wages, provisions for piecework pay, and a separate expiration date from the national agreement. Members who used to make the same wage are paid \$19.20, \$18.20, or \$15.00. When the new company opened management turned some members they didn't like away at the door. They

required a 30-day probation and forced people out at whim. They also used an illegal prescreen drug test to fire some workers. This allowed management and the union the opportunity to get their friends the best positions by eliminating the most senior members.

It wouldn't be so bad if the local would enforce the contract. Local 710 Recording Secretary Mike Sweeney, the BA, won't even let the members have grievance forms. They have to go down to the hall just to file a grievance. When their elected steward tries to get management to deal with problems on the job, they say, "We let the union deal with that, go talk to Sweeney." When you can't even get management to talk about problems it is tough to enforce a contract.

Ontario Local 938, which covers the bulk of affected members, recently held proposal meetings. Unlike the U.S. bargaining, rank and file carhaulers will be at the table. Some 30 stewards will be on the bargaining committee.

However, recent actions by Local 938 President Ray Bartolotti to undercut members' rights has carhaulers worried that he could attempt to limit membership control of negotiations.

Union Hall Demonstration

On April 18 the Local 938 general membership meeting in Toronto was adjourned by Bartolotti after members wanted to discuss his moves to steal the right of freight Teamsters to elect five of the seven trustees in their health plan. He stormed out of the meeting for the second time in three months.

Nearly 100 members then demon-

strated outside of the union hall in opposition to dictatorship and in support of their right to elect their trustees, which is spelled out in the freight trust agreement. Bartolotti issued a letter in which he stated that only one (!) trustee would be elected by the members. Joint Council 52 already ruled in the members' favor on this issue on charges filed by former elected trustee John Gorman. Bartolotti has removed several elected trustees from health trusts.

Recently Bartolotti was forced by membership opposition to withdraw his bylaws proposals that would have concentrated more power in his own hands.

It is becoming quite apparent to Local 938 members that Bartolotti's main concern is not acting in their interests, but in himself having total control of everything in the local. It's also becoming apparent that Teamster members will not stand for it.

Norfolk, Va., Diversion of Traffic

Carhaul Division Undercuts Winning Grievance

Gerald Brewer
Local 822, Allied
Norfolk, Va.

Norfolk, Va., Local 822 Allied members are outraged and horrified about recent decisions that have tanked an already won preservation of work grievance. Some \$8 million in lost earnings is at stake. (\$4.6 million for work lost 10/97 to 10/98, \$6.2 million for 10/98 to 1/99 and still growing!)

When Allied started diverting Norfolk traffic to a Hampton, Va., terminal in 1998 (and to lower rate brokers), I filed a grievance demanding that all traffic historically done by Norfolk be returned. Local 822 steward Ken Austin pulled together a three-inch thick binder documenting the contract violation.

During the course of the battle, we uncovered deals that had been signed behind our backs. J.D. Jackson — just brought back by Hoffa — signed one of the deals. Local 822 BA Mark Lusk also signed off on a settlement agreement allowing freight brokers to haul work.

Despite this, our work paid off in November 1998 when the national carhaul panel ruled that all traffic historically handled by Norfolk be returned. Although Allied argued that the scope of the decision be restricted to Alabama and Tennessee traffic, the panel held firm. As for the damages owed, the national panel ordered the company to meet with Local 822 to work out the details.

That should have been the end of it, but Allied stonewalled. Local 822 claims to have requested strike sanction from the International, during the same time that Hoffa took control of carhaul matters and the running of the IBT. Strike sanction was denied.

Rather than use Teamster power to enforce a winner, and hoping to wash their hands of any blame, the local and the IBT sent the case on to an arbitrator! They also pulled former carhaul director Doug Webber, who was fully familiar with the issues, off the case.

We won, and that should have been the end of it. Instead we have the local and the IBT siding with the company.

Before the arbitrator, the union, with Hoffa legal counsel Jim Wallington, restricted the case to the tiny portion of work argued by Allied. They also sat by while the company claimed — for the first time during the life of the case — that a 1995 decision took precedence. (Article 7, Rules of Procedure states that cases can only be presented at the beginning of grievance cases.) Critical evidence prepared by Austin was not presented.

"It was a won case," Austin said. "We had everything documented and the national panel had already ruled in our favor."

Predictably, given the IBT's complicity with management, the arbitrator ruled narrowly and in Allied's favor. The monetary damages were restricted to a small portion of the work lost. Armed with this green light, Allied is already taking more. They brought back part of the work — and then put it on the rail. Then they took more.

Is this a sign of things to come? If the carhaul division won't enforce major decisions — winners — what does it mean for our contract and the future of Teamster carhauling? Wait to find out and we could lose. We need to expand and build a strong network of rank and file carhaulers, and be ready to fight against a contract sellout.

Northwest Flight Attendants: 'Air Turbulence Ahead'

Local 2000 is preparing 11,000 Northwest Flight Attendants for a potential strike vote. President Billie Davenport's weekly recorded message to the rank and file warns the company: "I hope you're listening Northwest, because we will strike if we have to."

In a recent letter to the local's Executive Board, hundreds of members urged them to take a strike vote to show their unity to management at the bargaining table. They want the company to know that they will not give up key issues and will take their fight for good jobs to the customers, community, and media.

Negotiations have led to agreement on a number of issues, but the company continues to resist union demands on the major issues, including retirement and compensation. Bargaining is set to resume on April 28 in Washington.

On April 23, Flight Attendants from across the country will rally at Northwest's annual stockholders meeting in New York to confront Northwest's corporate greed. Northwest executive John Dasburg recently received a stock package worth \$16

million, but Flight Attendants are left fighting for their share of the \$900 million in concessions that employees gave ailing Northwest in 1993.

Mismanagement is rampant at Northwest. While huge salaries and bonuses are given out to executives, service continues to decline and stock prices are low. Flight Attendants intend to keep Northwest's greed in public view. They've been leafleting at all the base airports, warning customers: "Air Turbulence Ahead."

HAVOC at Northwest?

Flight Attendants are also continuing to prepare themselves for the possibility of HAVOC, the alternative to a strike that is like an invisible loaded gun to the company. Northwest Flight Attendants are watching a video on the Alaskan Airlines selective strike strategy they called "CHAOS," and learning what they would need to do. Flight attendants at Alaskan ran a successful job action on carefully targeted flights.

A "junior" Detroit Flight Attendant who watched the CHAOS video at one

of the on-going trainings said, "I'm a single mom with two kids. I'll volunteer to strike."

Under the Railway Labor Act, the mediator must declare "impasse" before the union can take any form of a strike. Even with major disagreement and stalling by the company on key issues, if talks continue about smaller issues, impasse will not be declared. When either side refuses to continue talking and the mediator declares impasse, there is then a 30-day cooling off period before any strike action could take place.

Local 2000 and the International

Hoffa has pledged the "full resources of the international" to help the Flight Attendants. But at the end of March Hoffa fired all of the field staff who had

been working with the flight attendants on their Contract Action Team campaign. At this point, the IBT will pay rank and file campaign coordinators for time off as needed. Hoffa will rely more on officials he's added to the bargaining table. An IBT spokesperson told the Minneapolis *Star Tribune*: "The Hoffa administration will foster rank-and-file involvement, but is 'not committed to the old ideas.'" Both the Local 2000 and the Hoffa leadership have stressed they are working together on the contract effort, although some are approaching with caution.

Teamster Flight Attendants have worked long and hard to build rank and file unity and determination to combat corporate power and greed. They are prepared to do what it takes to win a good contract.

1999 TDU Convention
November 5-7
Sheraton Airport Hotel Cleveland



Teamsters in Huntington, W. Va., Local 505 formed a new TDU chapter in April. They decided that years of employers getting away with anything they want should end. They've begun to educate themselves and their fellow Teamsters. Already, members wearing TDU hats and T-shirts have caused UPS management to take notice, as well as local union officials. Pictured above (left to right): Steve Henderson, Kellie Barker, Greg Bellomy, Jeff Hunt, John Hereford and Dana Lewis.

Zero Contracts, Weak Representation

Local 237 Teamsters Ready for Rank and File Action

Rank and file power is on the move in Local 237, the Teamsters' largest local union. Fed up with weak contracts and deteriorating working conditions, members have formed the Local 237 Rank & File Action Committee.

"Local 237 officers deliver high salaries and perks for themselves while they negotiate zero contracts for the membership," said elevator mechanic Chris Sullivan. "The Rank & File Action Committee is about building a strong union by mobilizing rank and file power."

Local 237 represents public employees in New York City and Long Island. Through the Rank & File Action Committee, members from divisions and worksites across the local are coming together in response to problems plaguing members in every job title.

Zero Contracts

Long Island Division members are still smarting over their last contract that included a wage freeze for three straight years. New York City Housing Authority

employees and members from the local's Citywide division each took two years of zeros in their last contracts.

Meanwhile, Housing Authority elevator mechanics have gone six years without any contract at all! Rather than mobilizing the members to fight for a good agreement, Local 237 officers issued a press release blaming the members for the situation.

Other skilled trades workers including roofers, plasterers and bricklayers have had contract nightmares of their own.

Weak Representation

Hospital police employed by the Health and Hospital Corporation suffer increased workloads and higher stress due to management's productivity push. Workloads may be on the rise, but union representation sure isn't.

School safety officers — now called "agents" — have faced arbitrary enforcement of work rules since the Police Department took over supervision

of the officers from the Board of Education last December. Since the merger, officers have been held accountable to both civilian and patrolman workrules, and management selectively enforces only those rules that benefit supervision.

"The union should be helping us enforce our rights, but 237 gives the members absolutely no information," said Charles Mussa, a founding member of the Rank & File Action Committee.

Local 237 members who work as attorneys at public agencies have hundreds of backlogged grievances, some going as far back as five years. When they asked that the local track the grievances, 237 officers refused.

Members from across the local face the threat of job elimination through the city's use of WEP workers, unpaid workers who are part of the city's welfare reform program.

The Rank & File Action Committee has issued a seven-point Program for a

Strong Union that includes fighting for better contracts, stronger representation, and building political clout.

For a copy of the program and more information about the Rank & File Action Committee, call the Eastern Region TDU office at 718-624-7746 or write the R&F Action Committee at P.O. Box 170500,

Teamster Women's Survey

Responses are coming in! It's not too late to send yours. In fact, it's never too late. We'd like to hear from you. The survey is a first step for the "Teamster Women's Network" to reach out to women members to get you the help you need in your area.

Contact us if you did not receive your copy. Or you can download a copy from our website at: <http://www.igc.org/tdu>.

DNA Guilty and Paying for It

Detroit Newspaper Workers Fight On

Dennis Nazelli
Local 372
Detroit

Two Teamster locals are still battling for contracts and justice against the *Detroit News* and *Free Press*, papers owned by giants Gannett and Knight Ridder. Locals 372 and 2040 represent drivers and mailers among the six union locals with 2,500 members that struck the newspapers on July 13, 1995.

Now a lockout, the almost four-year battle has been bloody on both sides. The Detroit Newspapers Agency (DNA) CEO, Frank Vega, declared at a 1995 staff meeting: "We have the money and lawyers to outlast them [the unions] until everyone retires, gets another job, or dies!" Thirty-one union members have died and many more

have been injured by Vance Security guards hired by the DNA. Three brothers sustained injuries which will keep them from ever working again. These are only the physical injuries of the long labor battle.

Thanks to the Workers Justice Committee, a specially funded task force, the company is also suffering. With a first-year loss of more than \$372 million, the newspapers' are out nearly one billion dollars. Advertisers, concerned with the continuing decline of the papers' circulation and readership, are diverting millions of ad dollars to other newspapers.

Boycott, Tactics Working

The subscriber boycott is still the most potent weapon being used by the Workers Justice Committee. The Committee keeps the company guessing with innovative street actions and demonstrations that are not "business-as-usual." Several advertisers in the paper have been the target of actions and have pulled their ads. With pickets resumed, the company's security operation for transporting and protecting illegal replacement workers from parking lots is costing thousands of dollars each day.

The Sunday circulation figures alone reveal the committees' success. Pre-strike Sunday sales averaged 1.2 million copies. The latest DNA circulation figures proved that sales were under \$800,000 — a loss of more than



Thousands of local unionists, and many police contingents, came out for a 1995 Labor Day demonstration in support of the striking newspaper workers.

\$600,000 revenue every Sunday. By May 16, the 200th Sunday of the struggle, the newspapers will have lost \$120 million in Sunday sales alone.

The newspapers have also lost key court battles. The National Labor Relations Board (NLRB) unanimously ruled in August 1998 that the DNA was guilty of prolonging the strike/lockout and ordered the "immediate reinstatement" of all locked-out workers, even if it means getting rid of hired replacement workers. In addition, the NLRB ordered the DNA to pay back pay to the workers now, an

estimated \$160 million dollars. The DNA continues to defy the NLRB rulings and federal law and says it will appeal every decision.

Support the Struggle

Locked-out workers are asking Teamsters in Michigan, Ohio, and Ontario to boycott the *News* and *Free Press*. In other areas, union members are being asked to boycott *USA Today*, Gannett's flagship paper.

For more information, contact Dennis Nazelli, IBT Local 372, at 313-964-5655, extension 120.

Illinois Local 754 Wants \$12 Month Dues Increase

Is \$46 dollars a month too much to pay in union dues? John Thomas, Secretary-Treasurer of Illinois Local 754, doesn't think so. A proposal presented to the membership, if approved, would hike dues to \$46 dollars a month adding a total of \$12 in new assessments. Members have vowed to fight this, especially when the money will likely be used to beef up salaries and perks for Thomas and his cronies.

New book from Labor Notes

'Democracy Is Power'

Tom Sheibley
Local 653, Roadway
Brockton, Mass.

Most Teamsters in the democratic reform movement are crystal clear in their own minds on one crucial truth: democracy is the only way to build a strong union that can win important battles with employers. But talk to many other well-intentioned members, and you'll find some strange ideas of what democracy is: "If we can vote out corrupt, deal-making officers and elect good candidates," these Teamsters say, "we should be able to just sit back and let them run the union more fairly."

Other union members aren't sure that democracy is the best way at all. They may argue, for instance, that a steward ought to be appointed by the business agent, not elected. "How else can he or she make unpopular decisions when necessary," they ask, "without worrying about losing the support of the rank and file?" And finally, in the recent general election, many Teamsters rejected real democracy as a messy, contentious process, choosing instead to put their confidence in a domineering, dictatorial leader who they hoped would im-

pose top-down "unity" and "restore the power."

So it's not enough for reformers to say, "I'm for union democracy" and expect a crowd of fired-up Teamsters to fall in beside us. We have to make a strong case for democracy, in our words and in our actions. We have to work hard to win the central debate about what kind of union the Teamsters will be, if we want to steer our union toward real democratic rank and file power.

That's where a new book from Labor Notes comes in. *Democracy is Power*, by Mike Parker and Martha Gruelle, takes on all the arguments you might encounter in favor of strong-man, top-down union control, and counters them with evidence from across the labor movement that top-down control is actually a prescription for a weak union. It clears away the common misperception that democracy is nothing more than democratic procedures — like the right to make a motion in business meetings or vote in an election. The authors show that democracy is much more than voting: it's rank and file Teamsters taking

control of our union, starting with us picking our own issues and waging our own battles with the boss.

The book provides actual case studies from the Machinists, the Auto Workers and the Postal Workers as well as the Teamsters. These illustrate how getting control into the hands of rank and file members, rather than officers, generates greater power and unity to take on employers and win better contracts. Also valuable are sections of the book that lay out just what real union democracy looks like. A number of charts and lists, for instance, pin down the difference between undemocratic and democratic locals. *Democracy is Power* is especially valuable for the many reformers who may have put intense effort into waging by-laws campaigns or running for local office, only to find that the members are just too discouraged or intimidated even to turn out to vote. Yes, you will find good discussions of topics relevant to engaging in union politics, from local elections to international union conventions. But more importantly, the book points us back to the foundation of union

democracy, the workplace. It provides resources to meet the challenge of taking control of our union right on our own shop floors, in contract bargaining and enforcement. That's

where rank and file members have the motivation and the knowledge we need to take charge, setting our own agenda and holding leaders accountable to us. That's where officers have the fewest bureaucratic smokescreens to hide behind. That's where we can begin to build what the authors call a "culture of democracy," where members expect to be the ones to set the course of their union.

To order *Democracy is Power*, see page 12. For information on Labor Notes, contact them at Labor Notes, 7435 Michigan Ave, Detroit Mich. 48210, phone 313-842-6262, or visit the Labor Notes website at www.labornotes.org



TDU Presses Review Board for Action

Hoffa Operative Accused of Embezzlement Named to Top Position

It's been one year since Michael Cherkasky, the court-appointed Election Officer for the rerun election in the Teamsters Union, released a 121-page report on April 27, 1998, on his investigation of the Hoffa '96 campaign.

At that time, the Election Officer referred to the Independent Review Board evidence he turned up during his investigation that \$28,000 was diverted from the treasury of Detroit Local 337 (headed by Hoffa's then-boss and benefactor Larry Brennan), converted to cash, and given to Hoffa operative Carlow Scalf.

N.Y., N. J. and New England

TDU Educational Conferences

Tom Leedham will be a featured speaker at TDU conferences in New York and New England this spring.

Want to learn more about enforcing your rights on the job and in your union? Then check out the TDU Educational Conferences headed your way.

A conference for New York and New Jersey Teamsters is set for Sunday, May 23 from 10 AM to 3:30 PM at Hunter College in Manhattan.

The conference will include workshops on:

- Your Legal Rights on the Job & in the Union
 - Rights of Public Sector Teamsters
 - Winning Better Warehouse Contracts & Enforcing Them
 - Building Rank & File Power at UPS
 - The Future of Teamster Reform
- Other conference speakers will include

Despite the serious embezzlement charges, the IRB has failed to take action against Scalf, even though he was identified as the bag man for the embezzlement scheme. And now Hoffa has named him his Executive Assistant — the highest appointed staff position in the union.

In a letter being sent to United States Attorney Mary Jo White, TDU is asking that this outrageous example of "justice delayed is justice denied" be investigated.

According to the Election Officer's report, all 14 executive officers and busi-

ness agents of Local 337 received a \$100 pay raise per week beginning on October 18, 1996 and ending on January 31, 1997. Each official got an extra \$2,500 in pay.

In addition, on November 26, all 14 individuals received both a Christmas Bonus check (in amounts that varied from just under \$3,500 to over \$6,800) and a second check for \$2,500 entitled "in lieu of wage increase" for \$2,500.

All of the "in lieu of wage increase" checks were turned over to an executive officer of Local 337, who cashed them, then gave the cash to Scalf, who was an administrator with Local 337 and a long-time supporter of Hoffa who ran a number of fundraising events for his campaign. Scalf also helped run the 1997 Local 337 rerun election for Larry Brennan's slate.

Scalf told the Election Officer that he

passed out envelopes containing the cash to all 14 participants and then "about the same time" received \$2,000 in cash from each of them as contributions for Brennan's local union election campaign.

The Election Officer found the circumstances surrounding the pay raise and mass conversion of cash to Scalf "disturbing." However, since he could not find any direct evidence that the money was used by the Hoffa campaign, he was forced to refer the evidence to the IRB for action.

Teamster members who want to write a letter encouraging Ms. White to take action in the matter can send a letter to: Mary Jo White, United States Attorney, Southern District of New York, 100 Church Street, 19th Floor, New York, NY 10007. Letters can also be sent to the IRB at 444 North Capitol St. N.W., Suite 528, Washington, D.C. 20001.

Will Hoffa Live Up To His Promise To Fight Corruption?

Chicago Teamster Members Ask Hoffa to Step in to Stop Retaliation

Rank-and-file Teamsters in Chicago have asked Teamsters President James P. Hoffa to take action to stop officials of Local 714 and Joint Council 25 from retaliating against members for exercising their right under federal law, local by-laws, and the Teamster Constitution to run for union office.

Twenty-two members of Local 714 were notified on Wednesday, March 24, that Joint Council 25 has scheduled a hearing to determine whether they should be expelled from membership. They are accused of "interfering" with last year's local union election simply because they ran for office or supported candidates who ran.

The charged members, who ran on or supported the Members Voice for Reform Slate or the T. Hogan 714 Slate lost the local union election, held last July, to Bobby Hogan. Bobby's father, Billy Hogan, the former head of Local 714, was originally nominated as Hoffa's running mate for General Secretary-Treasurer of the International Union before he was removed from office by the IRB when the local was placed in temporary trusteeship for corruption.

"Hoffa promised that he would not turn a blind eye toward corruption if he was elected to office," said Local 714 member Jerry DeFrancisco, who headed the Members Voice for Reform Slate. "But the true test is when your own friends and supporters are involved. These charges are a blatant attack on our rights — and Hoffa should dismiss them immediately."

The members have written to Hoffa asking him to order that the charges be dropped. They also asked Hoffa to charge the officials of Joint Council 25 if they continue to pursue the charges. The Teamster Constitution (Article XIX, Section 7b(10)) prohibits members, officers, locals, or joint councils from "retaliating or threatening to retaliate against any member for exercising rights under this Constitution or applicable law including the right to speak, vote, seek election to office, support the candidate of one's choice, or participate in the affairs of the Union."

Ohio Conference Raises Dues

Unlike the Illinois, Pennsylvania and Iowa conferences, the Ohio Conference of Teamsters gives its officers, all local officials, \$125,505 a year in additional salaries. Les Singer, Ohio Conference president and Central Region VP, bags \$61,143 from the conference. Singer took home \$198,756 in 1997 from multiple salaries.

This has many Ohio Teamsters wondering why the conference just raised its dues 25 cents per member to spruce up the Blue Goose, the Ohio Conference truck. The increase will come from the treasuries of all Ohio locals and was approved by the local executive boards. This will give the conference over \$200,000 a year in additional funds. Should be a nice truck.

When Will Hoffa's Campaign End?

Big Lie on Teamster Finances Continues

The April 1999 *Teamster* magazine is a continuation of Hoffa's campaign against reform, and worst of all a continuation of his "Big Lie" about Teamster finances.

In a two-page headline the Hoffa PR team asks, "The \$153 million question: Where did your dues go?" They know exactly why IBT assets went down. The money went to pay strike benefits (some \$123 million) and for government intervention in the union. The strike benefits were raised to \$200 per week at the 1991 Teamster Convention with no increased funding. That's why the assets were going down before Ron Carey took office in 1992.

Carey's administration cut his own salary by \$75,000 a year, cut other salaries, froze the Affiliates (officers-

only) pension plan, eliminated free lunches at union headquarters, cut the per diem for IBT staff, sold the jet planes and limo and eliminated the bloated Area Conferences. Most important, the vast majority of multiple salaries paid by the International union were eliminated.

Money was spent on helping members fight for good jobs, to stop union busters, to win corporate campaigns and strikes, and to beat back the NAFTA trucking deal, not on perks and multiple salaries.

Think Hoffa will do the same? Stay tuned. We will start publishing the growing list of multiple salaries being handed out to Hoffa's friends, relatives and political backers.

It's time for Hoffa to stop campaigning and start working to unify and strengthen our union.

How Teamster Reform Came to the South

Ken Paff

TDU National Organizer

When Doug Mims attended the 1986 Teamster Convention in Las Vegas, he had no idea what a turning point that would be for him and for our union in the South. But history is made in strange ways sometimes.

Mims attended that convention as a guest. He watched as the old guard shouted down a proposal to give Teamster members the Right to Vote and Majority Rule on contracts. He watched them vote to raise their own salaries and expense accounts. And he watched as they hooted and ridiculed those elected delegates who dared to speak up for the rank and file. Mims knew that the freight contract and other national contracts were going downhill because the top officials were insulated from the rank and file.

Most important, he watched all eight delegates from his own Atlanta Local 728 fully support that abuse of democracy.

Mims vowed that would never happen again.

He wrote an open letter on that convention to the members of Local 728. He described exactly what happened. His letter ended with an appeal to action: "Where do we go from here? Do we continue to just sit around and be treated this way, or do we get up off our duffs?"

Mims had always been a strong union supporter. For example, when he was working in South Carolina, there was a problem in the local so he helped get it placed in trusteeship. He also enjoyed his job, especially driving for the family-operated R. C. Motor Lines.

After Mims transferred to Atlanta, and was working for Consolidated Freightways, he was a member of Local 728, headed by Weldon Mathis who was soon to become an International Vice President and then General Secretary-Treasurer.

"I supported Weldon Mathis at one time," Doug recalled. But then Mathis and his son Lamar gained personal power and stopped representing the members. Doug became an outspoken Teamster.

Birth of Reform in the South

Doug was invited by a friend to attend a meeting of Teamsters for a Democratic Union (TDU), and realized "They were trying to do, as a group, exactly what I was trying to do by myself."

A TDU chapter was born in Atlanta. Doug Mims, Don Scott from CF, Richard Black from UPS, and many more Teamsters got involved. Doug's wife Joyce became, in reality, the coordinator and communications center of the TDU chapter.

Atlanta Teamsters took Doug's advice and got off their duffs.

In October 1987 the Teamsters for Democracy slate ran against the Mathis family dynasty. Weldon Mathis was by

then the General Secretary-Treasurer of the IBT, and maneuvering to be General President.

The Mathises won the election easily. It was easy because they stuffed the ballot boxes, in a walk-in election held at polling places all over Georgia.

The TDUs did not give up. They proved the ballot boxes were stuffed and finally the U.S. Department of Labor sued the Mathises in federal court.

Now desperate, the Mathises divided Local 728 into two locals, creating Local 928 with all the UPS Teamsters in Georgia. They offered Mims, Scott, Black and the other reformers a deal: let the Mathises have 928, and they would hand over the leadership of 728 to the TDUs.

When the old guard talks about "local autonomy" that means cutting deals for local unions as if they were personal property.

If Doug Mims had been out for a nice union job, the deal would have been sweet. But he wasn't. He was out for Teamster democracy. The deal was turned down by all of the TDUs.

The End of a Dynasty

In 1990 the Department of Labor supervised a court-ordered election in Local 728 (with Local 928 put back into it) and the Teamsters for Democracy swept it. Since then they have been reelected three times. Don Scott is the local president and Richard Black is secretary-treasurer.

Weldon Mathis's Teamster career came to a crashing end. He was pushed off the old guard's R.V. Durham slate and into retirement.

Teamster reform came to the South. Word of the TDU chapter activity in Atlanta was spreading. Mims, a road driver, was a big part of that. So was Joyce Mims, who by now was functioning as a regional organizer. The Teamsters Union in the South was opening up to membership participation.

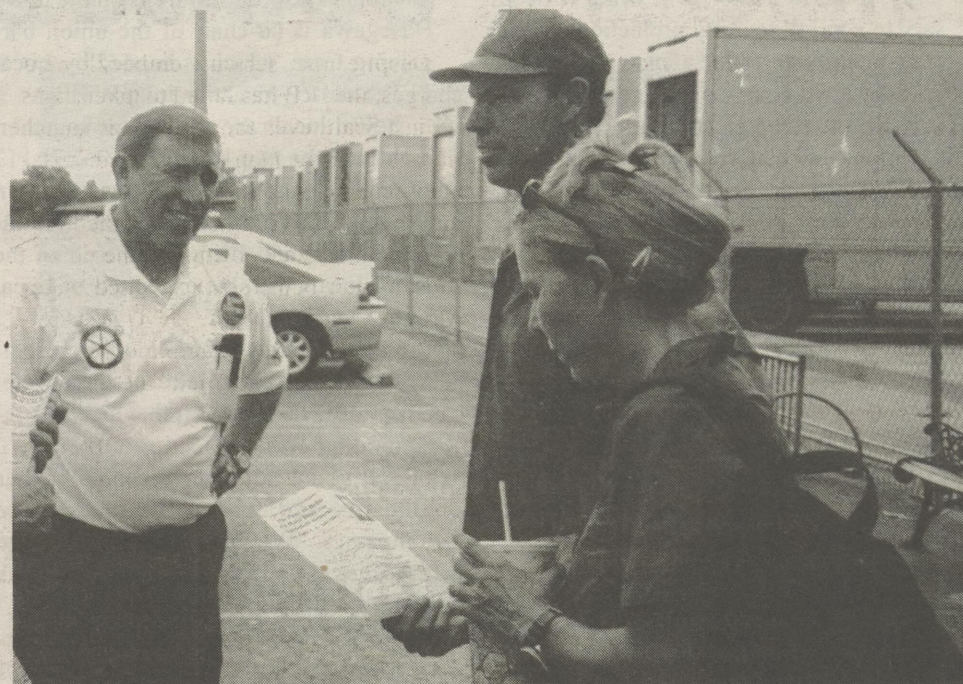
Changing Our Union

Doug Mims would soon find himself in a bigger campaign. In October 1990 he was among the first leaders asked to be on the Ron Carey Slate, and he accepted.

The Carey slate won the South overwhelmingly. On Feb. 1, 1992 — less than six years after he attended that Las Vegas fiasco — Doug Mims was sworn into office in Washington, D.C. with the first-ever elected International Officers. Joyce Mims, Doug's wife, had the honor of introducing Ron Carey on that day.

It was fitting because Doug and Joyce had been a big part of winning the Right to Vote for Teamster members.

Doug Mims never forgot where he



Doug Mims, left, talking with UPS workers.

came from. He turned down multiple salaries. He fought for the end of the Area Conferences, which paid out 62 multiple salaries. What a contrast with International officers such as Ken Wood of Tampa, Fla., who recently admitted at a union meeting that he was going to take every possible salary he could get, and has lived up to that comment.

In 1996 Doug was again elected easily, but that election was overturned when three campaign consultants hired by the Carey campaign chose to line their own pockets in a campaign scam.

In 1998, in the election that put James Hoffa Jr. into the marble palace, Mims narrowly lost in the South, by just over 1,000 votes. He ran on the Rank & File Power Slate, led by Tom Leedham. He won in seven of the nine states, but lost heavily in Dallas, where the Hoffa slate candidate engaged in election fraud.

Fight for Members' Rights Continues

Once again, however, Mims was ready to fight election fraud. J. D. Potter, Hoffa's candidate from Dallas, illegally laundered \$5,000 in cash into the cam-

paign, and was disqualified. A new election is being held.

Doug Mims is now running once again for International VP, once again defending the Right to Vote, once again standing up for members' rights and against greedy corporations and the union officials who are in bed with them.

Once again Mims is out front as an independent voice for rank and file Teamsters, not just another official looking for career advancement.

He's supported by his former running mate in the South, Mike McGowan. Mike stepped aside to support Doug.

Recently I saw a copy of a letter Doug received from John Sheffer of Nashville Local 327. Brother Sheffer wrote, "You have earned my vote by returning phone calls ... taking time out of your busy schedule for problems I had at Local 327 while you were busy negotiating contracts for your own local. This has proved to me that you care for all the members throughout the union."

That's Doug. A Teamster who didn't set out to be a leader, but is one in the best sense of the word.

Southern Region Rerun Election

- Ballots for supplemental nominations for Vice President candidates were sent to Southern delegates on April 7 and will be counted on April 23. Doug Mims is already a nominated candidate.
- Ballots will be mailed to all members in the Southern Region on **May 7**.
- Ballots must be returned by **June 10**, when counting will begin.
- If you do not receive a ballot, or need a replacement ballot, call the Election Office at 800-565-8683 and leave a message.
- Teamster members may donate up to \$1,000 to the campaign. All donations over \$50 must be made by check or money order. Only current Teamsters and their immediate family may contribute to any campaign.
- Each candidate will be allowed one page of campaign material to be sent to each Southern Region member in a special mailing.

Safeway, AG, Super Valu in Washington

Campaign for Grocery Job Security Heats Up

In mid-April 2,000 grocery industry Teamsters in the Seattle area overwhelmingly voted to authorize a strike if necessary to win job security protections in their master contract with Safeway, Associated Grocers and Super Valu.

"We're out to win real protection from subcontracting out jobs or moving jobs to another city," said Bob Hasegawa, secretary treasurer of Local 174 which represents hundreds of Seattle drivers and platform workers. "We've seen Safeway and

other employers contract-out their whole distribution system in other areas. The members know our future is on the line." Hasegawa is co-chair of the union bargaining team, which is headed by Local 117 secretary-treasurer John Williams.

Seven locals are at the table together, including the two big Seattle locals 117 and 174, and locals 313 and 599 in Tacoma. The bargaining committee includes rank and filers from each of the major locals with the exception of Local 313.

Locals 117 and 174 held a joint meeting on April 17 to take a strike vote. Over 500 Teamsters left that meeting determined to win.

The strike vote was taken to bolster solidarity and send a message to the companies. "We need pension and wage improvements for sure, as well as changes to the work-week language," said John Olson, a rank and file committee member, "but what good are wages if they can destroy our jobs? Job protection is number one."

Washington grocery Teamsters have wage levels of about \$18 per hour. In many areas, corporations have used subcontracting or leasing schemes to bust the union or lower wages by several dol-

lars per hour.

The Washington locals have adopted an active contract campaign involving rank and file members along the lines of

the UPS campaign.

The contract expires on April 30. Their fight is the fight of hundreds of thousands of food industry Teamsters.

Georgia Frito-Lay Moves Work to Nonunion Plant

Frito-Lay announced in January that it would be closing one of its Teamster-organized production facilities and moving work to a nonunion plant. The Chamblee, Ga., facility employed hundreds of workers, many of whom were members of Georgia Local 528 (Georgia is a right-to-work state). Neither Local 528 or the Bakery Division fought the shutdown. Local 528 offered prayers and best wishes to members, but did not try to mobilize a campaign to stop the closing, as other locals faced with this problem have done successfully.

White Rose Workers Fight Back Over Two-Tier Contracts

Two-tier contracts that allow companies to pay substandard wages and benefits to new hires have spread like a cancer in the grocery warehouse industry.

But by sticking together Local 805 members in Carteret, N.J. have bucked the trend. On March 24, they ratified a new contract that closes the wage gap significantly.

"This is a big-time victory for us," said shop steward Edwin Arredondo. "The company is always telling us what a good job we do. We told them, 'Don't talk so much. If you mean what you say, put the money on the table.'"

The new contract raises the lowest wage from \$10 to \$12.12 in the first year. Second-tier workers will receive 25-cent raises every six months and will earn \$14.87 at the end of the five-year agreement. First-tier workers won 50-cent annual increases and will earn \$18.04 at the end of the contract.

"Everyone should make the same money. When you have one guy making

less than the guy working next to him, that creates divisions, which is what the company wants," Arredondo said.

To win the wage increases, members used an unusual threat. The negotiations were part of a wage re-opener one year before the old contract's expiration, so the workers did not have the right to strike. Instead of a walkout, members threatened to walk away. Some 70 second-tier employees said they would quit if the company didn't come up with significant wage increases that closed the gap between tiers. Members had used the same tactic in a rank & file job action last year that forced the company to raise the second tier to \$10.00 an hour.

"The company knew that we were serious and they were afraid. That's why they opened their pockets," Arredondo said.

The victory is a big step for the reform movement in Local 805. Last year, members elected TDU member Gerry Whelan as their local president over the old guard incumbent.

The Grocery Bag

Following Job Cuts, Waldbaums Seeks 2nd Tier for New Hires.

First you fire two-thirds of your workforce, then you hire new workers at two-thirds of what the fired workers were making. Sound impossible? That's just Waldbaums' management is trying to get away with in Central Islip, N.Y.

Just six months ago, Waldbaums eliminated 50 out of 73 clerical jobs at its Central Islip facility and shifted the work to nonunion clericals in Patterson, N.J. With contract negotiations underway with the remaining union clericals, Waldbaums is now seeking concessions, including a two-tier agreement that would allow the company to hire new employees at just \$10 an hour.

Management is also trying to force through annual bonuses instead of wage increases and balking at members' demands for higher annuity contributions.

The company's attacks on the office clericals have raised questions of gender discrimination. All of the workers in the office clerical unit, who earn an average hourly rate of \$15.60, are women. Waldbaums pays workers in the all-male warehouse clerical unit some \$2 more an hour and they have a much higher annuity.

A&P Workers Take on Workplace Injuries, Productivity Drive.

Fed up with management inaction despite a rash of on-the-job injuries, warehouse workers at A&P's Freshtown Warehouse in Bronx, N.Y., are taking action. They are pressing management for reasonable productivity standards and petitioning their local union to charter a safety committee elected by the members.

On April 6, a selector was badly injured while operating a lowjack on a wet and slippery floor and had to be taken to the hospital in an ambulance. The same ambulance trip has been made by four Freshtown workers in the last six months.

The latest accident came just one week after management posted a notice that workers had filed a complaint with the Occupational Safety and Health Administration (OSHA) for safety hazards including warped and unsafe floors.

Members say there is a link between the accidents and the company's unfair tinkering with its productivity standards in the wake of its expansion of the warehouse. They also blame management's failure to eliminate safety hazards and provide proper training.

They are pushing the company to provide detailed information on management's "measured workday program." To learn more about how to protect themselves and enforce their rights, members will be attending a TDU workshop on warehouse productivity standards at the N.Y./N.J. educational conference on May 23.

Meet Your New Warehouse Director

Jimmy Hoffa Jr. has appointed Ken Hilbish, principal officer of Georgia Local 528, as Acting, Temporary Warehouse Division Director. Since he is the acting director of our union's largest division, we have analyzed a major contract that he recently signed.

Hilbish recently negotiated a contract with Ruan, the successor to Kroger Company in Atlanta, Hilbish's own former employer. We believe that this contract has possibly the worst language of any we have ever seen regarding protection of Teamster jobs and dignity.

Reprinted here is the "Management Rights" clause that Hilbish negotiated:

"Except as specifically restricted by the provisions of this Agreement, the Company retains the sole and exclusive right to exercise all management rights or functions. The exercise of management rights by the Company is not subject to prior notice, discussion or negotiation with the union.

"The Company has the right to formulate and administer rules, policies and procedures. This will include the right to establish or revise attendance, work ... and safety rules by which all employees will abide. The Company has the right to establish or revise a disciplinary policy to

address violations of these rules.

"The Company retains the right to establish work schedules for employees, including the determination of the number of actual hours to be worked in any day, week or shift, and the right to schedule employees for work in any given work week on days which are not consecutive ... to utilize part-time and temporary employees ... and to establish or modify job duties and classifications.

"It is agreed that the listing of the foregoing management rights shall not be deemed to exclude other rights of management not specifically listed. Any other right ... not specifically abridged or modified by this Agreement is specifically retained by the Company. The failure of the Company to exercise any power, function or right in a particular way shall not be deemed a waiver of the right of the Company to exercise such power...

"In the event of any ambiguity between this Article and another Article of this Agreement, the provisions of this Article shall control. The Company's exercise of its management rights under this Article shall not be subject to the grievance or arbitration provisions of this Agreement."

A strange way to "Restore Teamster Power" by the new IBT leadership!

Using Labor Board Charges to Keep Past Practices

Robert M. Schwartz
labor attorney
Boston

In the last issue of Convoy Dispatch, we discussed how to file a past practice grievance when an employer tries to take away a valuable benefit or working condition not specifically described in the collective bargaining agreement. Some changes in past practice, however, such as new job assignments, schedules, or work rules are difficult to challenge through the grievance procedure. This article discusses using labor board charges to fight employers.

When employers change past practices relating to work assignments, work rules, or schedules, they often run afoul of the National Labor Relations Act (NLRA) or in the case of public employees, the parallel state laws that apply in the public sector.

This is because under the NLRA, and most state laws, employers must provide unions with advance notice of any intention to change a term or condition of employment — including unwritten past practices. Moreover, if the union, after receiving such notice, requests to bargain, the employer must delay implementation until it reaches agreement with the union or until negotiations reach a genuine impasse.

Absent agreement or impasse, the im-

plementation of a new policy adversely affecting one or more employees is an unfair labor practice (ULP), also known as a *unilateral change*. If the union files a ULP charge within six months, the NLRB can order the employer to rescind the policy and to pay employees for any damages suffered.

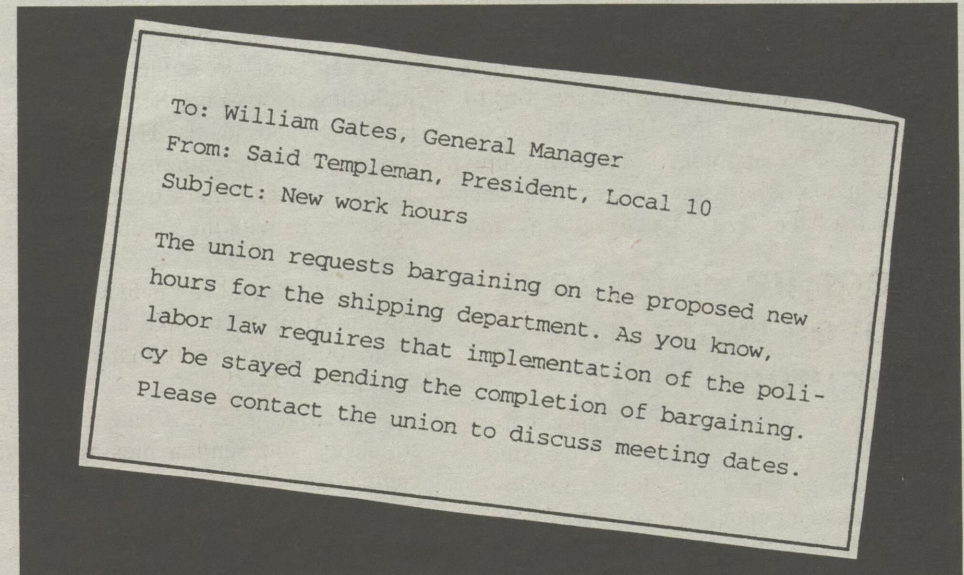
Although the employer can subsequently revive its plan by giving a proper notice, and bargaining, the union will have delayed the change, and through creative tactics may be able to block the employer from its intended goal.

The Notice Requirement

The NLRA notice requirement compels an employer to give the union substantial notice of its plan prior to the date the new policy will take effect. The notice may be oral or in writing. The union must be given the notice before a general announcement is made to employees about the new policy.

The Bargaining Requirement

When the union receives its notice, it must make a prompt request to bargain. Filing a grievance is not sufficient. Submitting a timely bargaining request prevents the employer from implementing the new policy until the bargaining process is completed.



Prior to and during bargaining, the union has a right to request information, to review employer proposals, and to submit counterproposals. If the employer ignores or refuses a union request for data, statistics, or reports relevant to the change, any subsequent implementation of the new policy is unlawful.

Management Rights

When a union contends that its NLRA bargaining rights have been violated, the employer invariably responds with an argument called "management rights." This defense asserts that the management rights clause in the contract gives up the union's NLRA privilege to receive notice and to bargain over mid-term changes in practices and policies.

In many cases, the employer claims are baseless. According to the NLRB and the U.S. Supreme Court, a management rights clause only overcomes union bargaining rights if the clause "clearly and unmistakably" allows management to take unilateral action in a specifically-named area or areas.

For example, a management rights clause does not allow an employer to make a unilateral change in a safety rule unless the agreement specifically mentions safety rules as an area of exclusive management control. An employer cannot adopt new disciplinary policies unless the contract clearly identifies disci-

plinary standards as being within management's sole authority.

Deferral

Another hurdle for unions is the NLRB's "deferral" policy. This policy allows the NLRB to refer ULP charges to the arbitration process instead of the NLRB conducting an investigation and issuing a complaint.

The deferral policy does not apply if the union has made a request for information relevant to the new policy and if the employer has ignored the request or refused to comply.

When a ULP charge is deferred, the union has little choice but to present its arguments to a labor arbitration panel — despite the added legal expense. This is not necessarily fatal. Many arbitrators, especially those who have worked for the NLRB or a state labor board, are knowledgeable about NLRA bargaining rules and are willing to issue an award nullifying policies that are adopted unilaterally.

If the arbitrator ignores the NLRA or issues a decision which conflicts with NLRA principles, the union can petition the NLRB regional director to reopen his or her investigation.

Dealing with the NLRB can be frustrating. There are many detours and pitfalls. Nevertheless, filing a labor board charge may give the union the leverage it needs to prevent an employer from taking away a

valuable benefit or favorable working condition.



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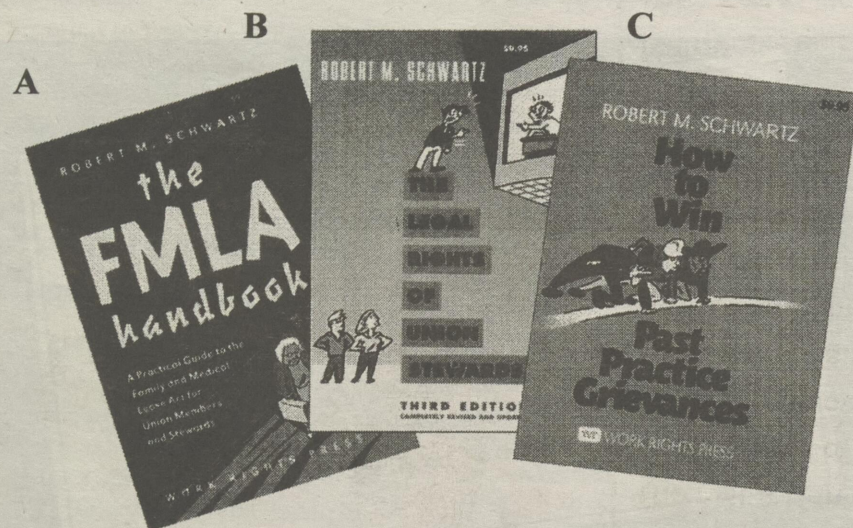
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D. ACLU Rights of Employees and Union Members

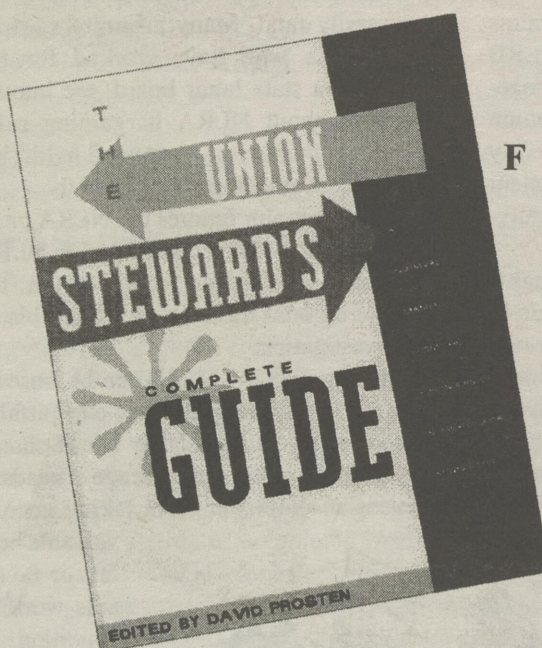
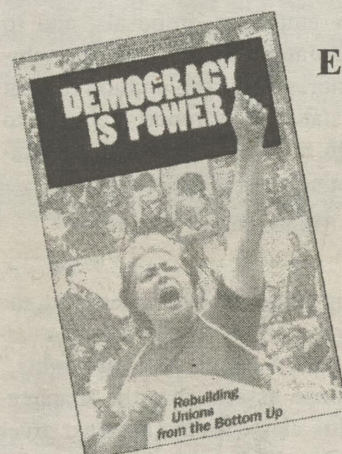
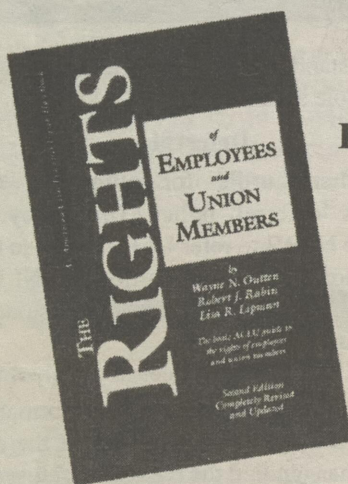
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E. Democracy is Power

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